

IN RE: Actions in Response to COVID-19)
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**MOTION TO SOLICIT COMMENTS
FROM UTILITIES AND OTHER
INTERESTED STAKEHOLDERS
REGARDING MEASURES TO BE
TAKEN TO MITIGATE IMPACTS OF
COVID-19 ON UTILITY CUSTOMERS
AND REQUIRE RECORDKEEPING**

1. On March 13, 2020, Governor Henry McMaster issued Executive Order 2020-08, which, among other things, declared a State of Emergency in South Carolina based on a determination that COVID-19 “poses an actual or imminent public health emergency for the State of South Carolina.” Additionally, in Executive Order 2020-13, dated March 23, 2020, Governor

McMaster declared that “the State must promote and facilitate effective ‘social distancing’ practices” to address the significant public health, economic, and other impacts associated with COVID-19 and to mitigate the resulting burdens on healthcare providers, individuals, and businesses in the State of South Carolina. Governor McMaster has also issued other executive orders closing schools, postponing elections, prohibiting dining inside restaurants, prohibiting public and private gatherings of more than three people, and invoking emergency governmental powers under multiple statutes. *See* Executive Orders 2020-08 through 19, 21 through 23, 25, 28 and 29.

2. As a result of COVID-19, the unemployment rate in South Carolina has skyrocketed with many South Carolinians out of work or working significantly reduced hours as a result of the pandemic creating economic hardships for many South Carolinians.² Additionally, reduced usage from businesses are expected to impact the fixed cost recovery and revenue assumptions included in rates designed to collect the utilities’ costs incurred in serving customers. In this time of crisis, measures must be taken to identify and mitigate the negative impacts of COVID-19 as well as to ensure reliable, high quality utility service for South Carolina customers.

3. Temporary modifications to certain utility practices could assist utilities and their customers mitigate the hardship many are currently facing.

4. Therefore, ORS respectfully requests the Commission request and take comments regarding whether modifications to utility practices or other opportunities exist that could assist utilities and their customers as South Carolinians collectively work to counteract the impacts of COVID-19:

²According to statics, as of April 20, the South Carolina Department of Employment and Workforce had processed over 268,000 unemployment claims in the last month alone. *See* <https://www.wltx.com/article/news/health/coronavirus/jobsearch-requirement-suspended-waiver-extended-scdew-unemployment-benefit/101-8012ed1f-1c78-42dd-baa5-d3dcadf3413e>.

- **On-Line Payment and Credit Card Processing Fees.** Whether utilities can offer no cost options to facilitate customer payment and temporarily waive on-line payment and credit card processing fees, which are fees charged by a 3rd party to process on-line and credit card payments, in order to assist customers at this time. ORS respectfully requests the Commission request utilities provide comments regarding the feasibility, cost impacts, efforts to educate customers about existing no-cost bill payment options, administrative and tariff changes needed to facilitate the temporary waiver of on-line payment and credit card processing fees.
- **Late Payment Fees.** Whether utilities could suspend or forgive outstanding late payment fees to assist customers at this time. ORS respectfully requests that the Commission request input from regulated utilities regarding the feasibility, cost impacts, applicable time period, administrative and tariff changes needed for the suspension or forgiveness of late payment charges. The regulations related to late payment fees are: S.C. Code Regs. Ann. §§ 103-339, 103-439, 103-532.2, 103-622.2, and 103-732.3.
- **Returned Check Charges.** Whether utilities can temporarily waive the assessment of service charges associated with returned checks to assist customers. ORS respectfully requests that the Commission request utilities provide comments regarding the feasibility, cost impacts, administrative and tariff changes needed to facilitate the temporary waiver of waiving service charges associated with returned checks.
- **Credit Reporting.** Whether utilities report customer payment delinquency to credit reporting agencies and, if applicable, temporary suspension of sending reports of customer payment delinquencies to credit agencies, and the use of credit reporting agency

information to determine customer credit worthiness or security deposit amounts could provide assistance to customers at this time. ORS respectfully requests that the Commission request utilities provide comments regarding the feasibility, cost impacts, administrative and tariff changes needed to facilitate the temporary suspension of sending reports of customer payment delinquencies to credit agencies and the use of credit reporting agency information to determine customer credit worthiness or security deposit amounts.

- **Communication Regarding Safety Net Provisions.** ORS recommends that utilities increase their efforts to communicate with their customers regarding any applicable safety net provisions that may assist residential and non-residential customers to ensure access to low income bill payment assistance, weatherization or other energy efficiency programs and any other resources available to help consumers pay arrearages, reduce bills and maintain service through the COVID-19 financial crisis. This would include, but is not limited to, referrals to local community resources, education on federal stimulus provisions and assistance to select the most economical rate schedule applicable such that a business or residential customer may reduce utility costs.³ Communication by utilities to make residential and non-residential customers aware of budget billing and financial assistance options is key so that customers can take steps to manage any unpaid amounts. Enrollment procedures for income-qualified customers should be streamlined to reduce the burden on utilities, customer and local assistance agencies. To that end, ORS respectfully requests that the Commission request interested parties provide comments on proactive steps to be considered by utilities to communicate applicable safety net provisions, including, but not

³ See S.C. Code Ann. Regs. 103-330(g).

limited to, referrals to community action resources and an exploration of advantageous tariff options, to their customers.

- **Planning Return to Normal Operations.** Finally, ORS requests that the Commission request comments from utilities on the planning activities taken by utilities to return to normalized operations. These comments should include, but are not limited to, utility plans to address: workforce management and scheduling, customer contact center volume, customer disconnections, increase in customer bad debt, revenue recovery, identify cost reductions, cost allocations due to unemployment and bankruptcies, the impacts of additional Federal stimulus funding and financial assistance for customers. The ORS understands that many impacts have not yet been fully realized by utilities or customers, and that the length and scope of future orders from the Governor or local authorities could impact decision making. However, the utilities should still provide comments based upon the information and expectation they have to date.

5. The ORS recognizes that not all utilities can offer the options set forth above and that while these options could benefit customers, the utilities would need to comment on any liquidity issues raised. Ideally, the Commission would be able to gain enough information through the commenting process to understand how utilities could best manage under these circumstances.

6. In order to properly effectuate the measures above, and plan for the future, accurate data is paramount. As a result, ORS respectfully requests that the Commission also require utilities to track both costs, revenue impacts and savings related to COVID-19 and file the findings with the Commission on a quarterly basis. This data could prove invaluable going forward as utilities seek to recover net impacts associated with COVID-19. Moreover, utilities should be encouraged to explain the nature of any operational actions they have taken, whether such operational actions

are temporary, and what actions should be excluded or normalized from future ratemaking proceedings.

7. ORS has compiled the above-referenced options from researching NARUC and NASUCA COVID-19 website pages, webinars, internal discussions, and input from various utilities, but it hopes that others will provide comments to the Commission as to any other steps that may be taken to mitigate the impacts of COVID-19 for both customers and utilities.

WHEREFORE, ORS respectfully requests that the Commission (1) solicit input from utilities regarding the temporary mitigation measures outlined above, (2), request utilities to inform the Commission of the plans utilities have to return to normalized operations based upon best information available at the time, (3) require utilities to track revenue impacts, incremental costs and savings related to COVID-19 and file the findings with the Commission on a quarterly basis; and (4) include any other matters that the Commission believes should be addressed. The ORS requests that such comments be filed within 30 days of Commission Order.

Respectfully submitted,

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